

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
<i>Caption in Compliance with D.N.J. LBR 9004-1(b)</i> COHEN TAUBER SPIEVACK & WAGNER P.C. Joseph M. Vann, Esquire Robert A. Boghosian, Esquire 420 Lexington Avenue, Suite 2400 New York, NY 10170 Telephone: (212) 586-5800 Facsimile: (212) 586-5095 E-mail: jvann@ctswlaw.com rboghosian@ctswlaw.com	
Counsel to the CGPN, LLC	
In re:	Chapter 11
ALUMINUM SHAPES, L.L.C.,	Case No. 21-16520 (JNP)
Debtor.	

**APPLICATION FOR ENTRY OF AN ORDER APPROVING STATEMENT OF
EXPENSES BY STALKING HORSE BIDDER**

CGPN, LLC, the Court approved stalking horse bidder (“CGPN”), hereby files this Application for Entry of an Order Approving Statement of Expenses by Stalking Horse Bidder (this “**Statement of Expenses**”) pursuant to and in accordance with the Court’s Order Granting the Debtor’s Motion for Approval of Bid Protections [D.I. 158] (the “**Bid Protections Order**”).

PRELIMINARY STATEMENT

1. The Bid Protections Order approved the Break-Up Fee¹ to CGPN in the amount of \$400,000 and an Expense Reimbursement to CGPN (inclusive of any attorneys’ fees) of up to a maximum of \$75,000.

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Bid Protections Order.

2. On November 10, 2021, the Debtor conducted an auction of its assets (the “**Auction**”). CGPN bid at the Auction but was not the successful bidder. The successful purchaser’s bid was \$32,000,000, which was \$12,000,000 higher than CGPN’s stalking horse bid.

3. CGPN travelled several times to the Debtor’s location to inspect the Debtor’s assets. Such travel consisted of airline flights, ground transportation and lodging. The total of the out-of-pocket-travel expenses of CGPN is \$7,157.55, as attached hereto as **Exhibit A**. CGPN retained Cohen Tauber Spievack & Wagner P.C. (“**CGPN Counsel**”) to represent CGPN in this matter. The fees and expenses of CGPN Counsel are in the amount of \$74,155.95 pursuant to the invoice attached hereto as **Exhibit B**. The total amount of CGPN’s expenses including fees and expenses of CGPN Counsel is \$81,313.50 (“**CGPN Expenses**”). CGPN submits that the CGPN Expenses are reasonable, yet in accordance with the Bid Protections Order CGPN is only requesting reimbursement of \$75,000 of the CGPN Expenses as payment of the Expense Reimbursement in full. The due diligence undertaking and efforts by CGPN and CGPN Counsel contributed to the competitive nature of the auction process leading ultimately to the Debtor receiving a successful bid of \$32,000,000 for the purchase of the Debtor’s assets, \$12,000,000 higher than the amount of CGPN’s stalking horse bid.

RELIEF REQUESTED

4. CGPN submits that the CGPN Expenses are reasonably documented and support CGPN’s request for reimbursement of \$75,000 as full payment of the Expense Reimbursement previously authorized by the Bid Protections Order.

NOTICE

5. Notice of this Motion will be given to: (i) the Office of the United States Trustee for Region 3; (ii) counsel for the Debtor; (iii) counsel to the Committee; and (iv) counsel for Tiger

Finance, LLC.

CONCLUSION

6. WHEREFORE, CGPN requests this Court enter the Order substantially in the form attached hereto as **Exhibit C**.

I certify under penalty of perjury that the foregoing is true and correct.

Respectfully Submitted,

Dated: November 18, 2021

By: /s/ Joseph M. Vann
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